

CITY OF SHERWOOD, OREGON

ORDINANCE NO. 669

AN ORDINANCE PROVIDING FOR A SPECIAL CITY ELECTION TO BE HELD IN THE CITY OF SHERWOOD, OREGON, NOVEMBER 2, 1976, IN CONJUNCTION WITH THE STATE GENERAL ELECTION, FOR THE PURPOSE OF SUBMITTING TO THE LEGAL VOTERS OF THE CITY OF SHERWOOD, OREGON, THE QUESTION OF ESTABLISHING A NEW TAX BASE PURSUANT TO SECTION 11, ARTICLE XI, CONSTITUTION OF THE STATE OF OREGON, AND THE QUESTION OF AMENDING THE CITY CHARTER, SECTION 33, TO MAKE THE MAYOR A VOTING MEMBER OF THE CITY COUNCIL.

WHEREAS, the Council of the City of Sherwood finds that sufficient funds to properly operate the essential functions of the presently existing tax base of the City and that there should be submitted to the legal voters of the City the question of establishing a new tax base in accordance with the provisions of Section 11, Article XI, Oregon Constitution; and

WHEREAS, pursuant to Section 11, Article XI, Oregon Constitution, it is necessary to submit such question of establishing a new tax base to the legal voters of the City at the state-wide general election to be held on November 2, 1976; and

WHEREAS, the City Council finds that the City Charter should be amended to permit the mayor to vote on questions and ordinances coming before the Council and that it is necessary to submit said charter amendment to the legal voters of the City;

NOW, THEREFORE,

THE CITY OF SHERWOOD ORDAINS AS FOLLOWS:

Section 1: It is necessary and in the best interests of the people of the City of Sherwood that there be submitted to the legal voters of the City at the regular state-wide general election to be held throughout the state including all voting precincts within the City on November 2, 1976, the proposition hereinafter stated in accordance with Section 11, Article XI, Constitution of the State of Oregon, and the proposition hereinafter stated with respect to amendment of Section 33 of the City Charter.

Section 2: There shall be submitted to the legal voters of the City of Sherwood voting at each precinct, or part thereof, within the City at the said general election of November 2, 1976, the following proposition for which purpose the following ballot title, number and form in which the question shall be printed upon the official ballot is prescribed:

Submitted to the legal voters by the Sherwood City Council

For the reason that the amount of taxes that may be levied by the Council of the City of Sherwood within the present tax base of the City determined by Section 11, Article XI, Constitution of Oregon, is insufficient to cover the increased costs of personal services, maintenance and operation of essential city functions, the following proposition is referred to the legal voters:

Mark X or ✓ in the square opposite answer voted for:

"Shall the City of Sherwood, Oregon
increase its present tax base of YES
51 \$12,857 by establishing a new tax
base in the sum of \$38,000 to be NO
effective for the fiscal year
beginning July 1, 1977."

Section 3: There shall be, and there is hereby adopted, approved
and authorized an amendment to the City Charter of the
City of Sherwood, Oregon, amending Section 33 thereof to read as
follows:

"Section 33. The City Council shall consist of four
councilmen and the mayor, all five of whom shall be
voting members of the City Council on any question,
matter, or ordinance."

Section 4: The question of approving or rejecting the foregoing
charter amendment shall be submitted to the legal
voters of the City of Sherwood at the general election of
November 2, 1976, in accordance with the provisions of the charter
of the City of Sherwood and the applicable election laws of the
State of Oregon, for which purpose the following ballot title,
number and form in which the question shall be printed upon the
official ballot is prescribed:

Submitted to the legal voters by the Sherwood City Council

Amendment to Section 33 of the Charter of the City of
Sherwood to make the City Mayor a voting member of the
City Council, thereby increasing the number of voting
council members from four to five.

Mark X or \checkmark in the square opposite answer voted for:

"Shall the City Charter be amended YES
52 to make the City Mayor a voting
member of the City Council." NO

Section 5: The foregoing propositions shall be submitted to the
legal voters of the City of Sherwood by separate ballot
at each precinct, or part thereof, in the City of Sherwood at said
general election of November 2, 1976. The election with respect
to said propositions shall be conducted by the regular election
boards designated to conduct the regular statewide general election
in said precincts on November 2, 1976.

Section 6: In all other respects the conduct of the election on
the foregoing propositions shall conform to the procedures
established pursuant to the law for the conduct of the general elec-
tion in said precincts and the polls shall be opened at the same
hour and closed at the same hour and all other applicable provisions
in accordance with the elections laws of the State of Oregon.

Section 7: Notice of the foregoing proposals in form substantially
as hereinafter set forth shall be given by three consecu-
tive publications in the Tigard Times on October 24, October 28 and
October 31, 1976, and by posting notices substantially in the follow-
ing form at each of the following designated places, such posting to
be accomplished not later than October 22, 1976.

- (a) At the front door of the City Hall conspicuously exposed to the public view, Sherwood, Oregon.
- (b) At the front door of the United States Post Office in the City of Sherwood, conspicuously exposed to public view.
- (c) At the front door of the Tualatin Rural Fire District Station in the City of Sherwood, conspicuously exposed to public view.
- (d) At least one other public place to be selected by the City Recorder, conspicuously exposed to public view.

The City Recorder is directed to cause to have published and posted said notices and shall file in the records of said election an affidavit of posting in usual form prior to October 30, 1976.

The form of notice shall be substantially as follows:

NOTICE OF PROPOSAL TO ESTABLISH A NEW TAX BASE FOR CITY OF SHERWOOD, OREGON AND PROPOSAL FOR AMENDMENT TO THE CITY CHARTER TO BE SUBMITTED TO LEGAL VOTERS OF SHERWOOD AT GENERAL ELECTION OF NOVEMBER 2, 1976.

Notice is hereby given that pursuant to Ordinance No. 669 enacted by the City Council of Sherwood on August 25, 1976, at the statewide general election of November 2, 1976, between the hours of 8:00 o'clock A.M. and will be submitted to the legal voters of the City of Sherwood for their approval or rejection, the following propositions:

Proposal to establish a new tax base for the reason that the amount of taxes that may be levied by the Council of the City of Sherwood within the present tax base of the City determined by Section 11, Article XI, Constitution of Oregon, is insufficient to cover the increased costs of personal service, maintenance and operation of essential city functions, the following proposition is referred to the legal voters:

Mark X or / in the square opposite answer voted for:

51	"Shall the City of Sherwood, Oregon increase its present tax base of \$ <u>12,857</u> by establishing a new tax base in the sum of \$ <u>38,000</u> to be first effective for the fiscal year beginning July 1, 1977."	YES	<input type="checkbox"/>
		NO	<input type="checkbox"/>

The foregoing proposition #51, if adopted, will establish a new tax base for the City of Sherwood pursuant to Section 11, Article XI, Oregon Constitution.

Proposal to amend Section 33 of the Charter of the City of Sherwood to make the City Mayor a voting member of the City Council, thereby increasing the number of voting council members from four to five:

Mark X or / in the square opposite answer voted for:

"Shall the City Charter be amended YES
52 to make the City Mayor a voting member of the City Council." NO

The polling places in the City of Sherwood for the purpose of submitting the foregoing propositions will be the same as those designated for the state-wide general election of November 2, 1976, and the election will be conducted in all respects by the election board designated and appointed by Sherwood City Ordinance No. 669.

Witness my hand and the seal of the City of Sherwood this 25 day of August, 1976.

Polly Blankenbaker
City Recorder

Section 8: That the Council of the City of Sherwood deems it unnecessary for the City of Sherwood, or any officer thereof, to furnish the legal voters of the city election pamphlets containing the text of the propositions or arguments in support of or in opposition to the propositions.

Section 9: The City Recorder, in the event she is unable to have said measures printed on the state ballot, be, and she is hereby authorized and directed to cause to have prepared ballots in due and legal form as herein prescribed, to appoint an election board, and to furnish to the election board a proper ballot box and all necessary election materials and to take any and all other and further actions that may be required to give effect to the provisions of this ordinance and to incur reasonable and necessary expenses in connection therewith, chargeable to the general fund of the City.

Section 10: It is necessary for the preservation of the public peace, health and safety of the people of the City of Sherwood that this ordinance take effect immediately in order that the tax base proposal and charter amendment proposal may be properly submitted to the people of the City of Sherwood at the state-wide general election of November 2, 1976, and an emergency is hereby declared to exist and this ordinance shall be effective upon its passage by the Council and signature by the Mayor.

PASSED: By the Council, by unanimous vote of all Council members present, after being read three times by caption this 25 day of August, 1976.

Polly Blankenbaker
Recorder - City of Sherwood

APPROVED: By the Mayor, this 25 day of August, 1976.

Jack O. Harper
Mayor - City of Sherwood